### "A Paying Medium!"

Is what advertisers say of the classified advertising columns in THE JOURNAL. No other paper in New York gives better results.

PAGES 9 TO 16.

## THE JOURNAL.

SATURDAY, MAY 9, 1896.—SIXTEEN PAGES.

1117114 1 134/

Scaffold and Crushed

a Child.

Swinging at the Third

## A Buyer Wanted

For something you have to sell? Insert an "ad." in THE JOURNAL'S classified advertising columns and dispose of it at once.

PAGES 9 TO 16.

# TO MRS. FLEMING.

Supreme Court Decides the be promoted by its necording to law.

Her Mother Is No Bar to Possession.

Even Conviction Would Not Invalidate Her Claim to the Property Left to Her.

IN LAW SHE IS STILL INNOCENT.

The Imprisoned Woman Deeply Thankful for the Ruling, and Says She Expects a Quick Trial

and Acquittal.

ing of an undoubted property right. The courts ire not to grant or deny civil rights upon a balancing of expediences.

The petitioner's application should be granted or denied upon the facts properly before the Court in this proceeding—upon the pleadings and proofs of the parties. The Court should not deny justice to the parties immediately before it upon the notion that the public good may be promoted by its temporary refusal to proceed

\$85,000 Held in Trust

Is Legally Hers.

This woman comes and asks for what in law is her own. The answer is, You have been accused of marder. Upon that the Court dismisses her from its presence until she shall have secured an acquital. In our judgment this

The order should be reversed and the appli ention granted.

for the defence, said, upon hearing Judge

The parties who instituted the proceedings would scarcely in any event have any interest in the estate. The devise was to Mrs. Fleming and her heirs. The Court could not divest the title, and in any event the children would inherit."

Tombs when the news of the court decision was brought to her. In spite of the bars and grated windows she has managed to make the place of her imprisonment quite cheerful. Though scantily furnished it is bright and pleasant, and shows in

very happy and it will enable me to defend myself against the charge which has wrongfully been brought against me. My case I expect, will soon come to trial, when I shall hope for and expect an early acquittal.

alice a. Fleming

awalting trial for the murder of her mother, ward its mother.

Livingston's estate, and the property was sold by a referee. Of the proceeds derived from this sale, \$25,050.05 is now in the hands of the City Chamberlain, "to be distributed at the death of Evelina M. Bliss."

The trial of Mrs. Fleming will begin next Monday morning before Recorder Goff, in Part II. of General Sessions. The District-

Ing made due application for the money, but objections were interposed by relatives of the inte Mr. Llyingston, on the ground that she was not entitled to benefit by a crime she bad committed. The Supreme Court referred the matter to Lawrence Godkin, as referee, and he decided that Mrs. Freming was not entitled to the matter with the matter of the office of the District Attorney that the prosecution has a much stronger case against the accused than the prosecution has a much stronger case against the accused than the prosecution has a much stronger of the office of the district of the office of th until she had been populited of the charge Special Term by Judge Pryor, and an appeal was taken.

The decision of the Appellate Court was written by Judge Barrett, and grants Mrs.

The only ground upon which the application was contested was that an indictment had been from dural against the petitioner for the murder of her mother. A conviction upon the indictment on the distinct understanding that he was not to be interfered with by politicians. He added that Mayor sound by an acquittal there. The converse must bound by an acquittal there. The converse must be added that Mayor sound against the petitioner for the murder of the stated that accepted the Street Celaning Bureau appointment on the distinct understand the first from Municipal Business." He stated that he had accepted the Street Celaning Bureau appointment on the distinct understand the politicians. He added that Mayor Street Celaning Bureau appointment on the distinct understand the politicians. He added that Mayor Street Celaning Bureau appointment on the distinct understand the politicians. He added that Mayor Street Celaning Bureau appointment on the distinct understand the politicians. He added that Mayor Street Celaning Bureau appointment on the distinct understand the politicians. He added that Mayor Street Celaning Bureau appointment on the distinct understand the head accepted the Street Celaning Bureau appointment on the distinct understand the head accepted the Street Celaning Bureau appointment on the distinct understand the head accepted the Street Celaning Bureau appointment on the distinct understand the head accepted the Street Celaning Bureau appointment on the distinct understand the head accepted the Street Celaning Bureau appointment on the distinct understand the head accepted the Street Celaning Bureau appointment on the distinct understand the head accepted the Street Celaning Bureau appointment on the distinct understand the head accepted the Street Celaning Bureau appointment on the distinct understand the head accepte which is but an accusation? It is not permitted cross- examination that he has been indicted. It seems quite clear, then, upon the record, that no legal obstacle stands between the petitioner and the enjoyment of that to which she has the legal right.

earned Judge of the court below conredes this, but denies the right to immediate sajoyment only because the petitioner's acquittal in this proceeding might prejudice the people apon the trial of the indictment. That however, is but a vague apprehension. The proceedings here would be inadmissible upon he criminal trial. Where, then, the prejudice? Surely not that perchance the jury in the crim inal action may hear of the civil proceeding and possibly be affected by the result. That is too unlikely and too remote to justify the withhold- public good.

Indictment for the Murder of was a denial of the justice to which, upon the record, she was entitled.

Charles W. Brooke, one of the lawyers

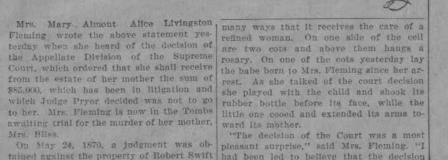
"The decision is an eminently just one

Mrs. Fleming was in her cell in the

I am very glad that I have been awarded the money. It makes me

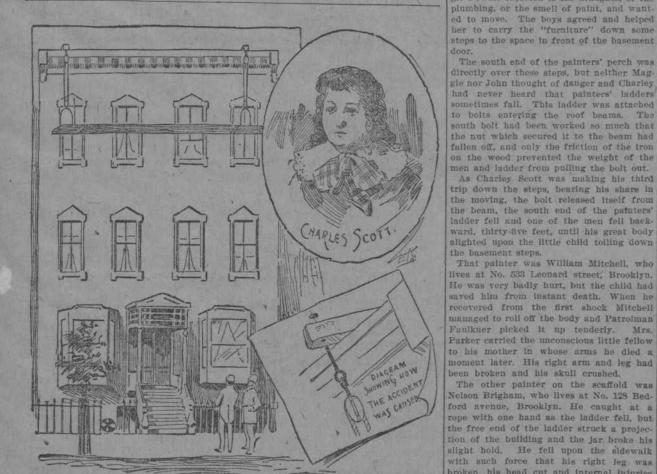
of murder. This decision was approved at Street Cleaning Commissioner Says That

plauds Him. The only ground upon which the application Convention to-day on "Separation of Poli-



A further amount of \$60,000 is subject to Attorney's office will be represented by J. F. McIntyre, Seaman Miller and Dr. O'Sul-Upon the death of Mrs. Bliss, Mrs. Flem- livan as medico-legal expert. Mr. McIntyre

Baltimore, May 8.-Colonel George E.



Painter Mitchell Fell from a Ladder and Killed Baby Scott. One of the bolts holding the swinging ladder were off its nut and slipped through the beam. Two painters were thrown off their perch and seriously injured. One fell on Charley Scott, who was playing on the basement steps, and inflicted such injuries that the little one died a few minutes later in his

Mrs. Bliss.
On May 24, 1870, a judgment was obtained against the property of Robert Swift had been led to believe that the decision

Even Tammany Now Ap-

at her mother's death. Efforts had been made to prevent her securing the money, on the ground that she should not be allowed to benefit by a crime. This view was taken by Justice Pryor. Judge Barrett reversed it, saying in the eye of the law she was innocent. has two other children-a boy, six years old, and a girl, three years old.

This accident is the fourth of its kind BURGLAR SHOT IN that has occurred in Greater New York within two weeks. Two men were thrown from a scaffold in East New York in the same way on Thursday. In a like neel dent at the New York end of the Bridge Painter Mitchell Fell with a a few days ago one man was killed and two painters whose scallold fell in Jersey City two weeks ago were so badly hurt that they spent several days in a hospital.

TWO GRAVES FOR HOLMES. Fleming's application for the money. His Waring, Street Cleaning Commissioner of He Was Injured, but His Companion An Ordinary One Would Not Have Held Policeman's Coat Was Cut by a Bullet,

> s at first, he continued, lea that their recommendant be considered, but at the considered, but at the inevitable. The labor the inevitable. The labor the inevitable in the considered the considered the considered the considered the continued, but at the inevitable. The labor the inevitable in the continued, leading the continued th Father McPake conducted the services, and

Swinging at the Innu Floor, and Army of the attacked find Army of the attacked find Army of the attacked find attacked find attacked fine of the troubles arose, ass of the people sustained bim, even the politicians were coming his side. One of the "Big Four my Hull had even written him a hing," 'If we win you shall stay of trouble yourself.' He considered from the first politicians was playing "house" yesterday afternoon by a total divorce of politics from live at No. 69 Jewell street, Brooklyn, was playing "house" yesterday afternoon wild to be lowered into an ordinary grave, the Morrislania station house, demonstrated his ability as a marksman before are five years old and live at No. 67 Jewell street. Two painters were on a swinging ladder painting the front of No. 67, and its an international part of the play but Magic Powers in New York and in the highest terms as an extended to be lowered into an ordinary grave, therefore, selected space sufficient for two ordinary graves to receive the unusually large coffin. The only form the children had watched the indeed as wing at the third floor and the men's brunses and collide to the lowered into an ordinary grave to receive the unusually large coffin. The only form the case of the burglar say a wagon used in hauling monuments, and the children had watched the indeed to movelly carlous crowd witnessed the last moveldly carlous crowd witnessed the last.

The won in the Morrislania station house, demonstrated his ability as a marksman before the lowered into an ordinary grave to receive the unusually large coffin. The only is a complete the unusually large coffin. The only is a wagon used in hauling monuments, and the children had watched the hody of Holmes from the vault to its last resting place.

When the function of the plant was packed in and about the slices and ends of this novel sarcophanicat

The south end of the painters' perch was directly over these steps, but neither Maggie nor John thought of danger and Charley had never heard that painters' ladders sometimes fall. This ladder was attached to bolts entering the roof beams. The south bolt had been worked so much that the nut which secured it to the beam had fallen off, and only the friction of the iron on the wood prevented the weight of the men and ladder from pulling the bolt out.

As Charley Scott was making his third services and charley had never heard that painters' ladders would shortly confer with Lawyer Rotan and Sixty-second street, having agreed viser of Mrs. Pitezel, stated to-day that he would shortly confer with Lawyer Rotan and Sixty-second street, having agreed viser of Mrs. Pitezel, that he would shortly confer with Lawyer Rotan and Sixty-second street, having agreed viser of Mrs. Pitezel and viser of the would shortly confer with Lawyer Rotan and Sixty-second street, having agreed viser of Mrs. Pitezel and viser of Mrs. Pitezel. The latter wants restitution for the insurance money, out of which she was swindled by the hogus promissory note which Heimes represented as having been signed by her husband. Mr. Finhy means to attach anything he can find.

As Charley Scott was making his third

As Charley Scott was making his third Marry, Widow Sass Broke His Window.

Sophie Sass, an elderly widow, living at under the left ear, That painter was William Mitchell, who lives at No. 533 Leonard street, Brooklyn. He was very badly hurt, but the child had saved him from instant death. When he court, on a charge of maliciously destroying saved him from instant death. When he court, on a charge of maliciously destroying a plate glass window in the plumber shop. recovered from the first shock Mitchell a plate glass window in the plumber shop managed to roll off the body and Patrolman of William Vogel, at No. 251 Johnson ave

when him from instant death. When he recovered from the first shock Mitchell a plant glass window it the pinuser along the form the first shock mitchell a plant from the first shock mitchell and the plant of the body and Patroliana Fullkner picked it up tenderly.

A month ago Vogel advertised for a house a fixed point for the body and Patroliana Fullkner picked it up tenderly.

A month ago Vogel advertised for a house been been been and his skull crushed.

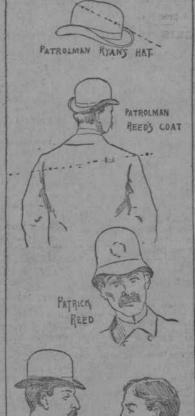
The other painter on the scaffold was No. 251 Mitchell was rope with one hand as the ladder fells up to that time. After the furnition of the building and the ladder eithing to that the hand a very hard with a specific of the building and the just the free end of the ladder struck a projection of the building and the just the free end of the ladder struck a projection of the building and the just the free end of the ladder struck a projection of the building and the just the free end of the ladder struck a projection of the building and the just the free end of the ladder struck a projection of the building and the just the free end of the ladder struck a projection of the building and the just the free end of the ladder struck a projection of the building and the just the free end of the ladder struck a projection of the building and the just the free end of the ladder struck a projection of the building and the just the just the free end of the ladder struck a projection of the building and the just the free end of the ladder struck a projection of the building and the just the free end of the ladder struck a projection of the building and the just the free end of the ladder struck a projection of the building and the just the free end of the ladder struck a projection of the building and the just the projection of the building and the just the free end of the ladder struck a projection of the building and the just the free end of the ladder struck a projection of the building and the just the free end of the ladder struck as projection of the building and

MRS. FLEMING IN HER CELL WITH HER BABY AFTER SHE HEARS OF HER GOOD FORTUNE. Mrs. Mary Fleming, who for nine months has been a prisoner in the Tombs, charged with the murder of her mother, was yesterday declared to be legally entitled to \$85,000 which was to come to her

> Fugitive's Path and Returned His Fire.

The pursued burglar held a revolver in trip down the steps, bearing his share in A LEAP YEAR WOOING, his hand, and, as Reed called to him to stop, the burglar fired. The bullet cut the moving, the boit released itself from Vogel Claims That Because He Refused to Reed's coat, but the policeman, who was then about twenty yards from the fugitive, returned the fire. The burglar fell. policeman's bullet had entered the neck

of wire attached to some twine, a tableof wire attached to some twine, a table | BETSY HAD DIED watch and chain. He is a handsome felow, about twenty-four years old, and his BEFORE DAWN attire is that of a man in good circum stances. From his conversation it is evi-



Wounded Burglar and Pursuers. Patrolman Ryan found O'Connor and and a mate at work on a basement window in One Hundred and Sixtyfifth street. One of the burglars shot a hole in Ryan's hat. O'Connor, 'run-

WM O CONNOR

She Is from Florida; So Is He. and Therefore He Knew What Ailed Her.

Well-Intentioned Persons at the Zoo Were Trying to Make Her Eat New York Grass.

SHE WAS DYING OF INDIGESTION.

"Good Gracious!" Said McCann, "Sea Cows Don't Eat Hay! Get Her Some Sea Weed"-This Was Done, and Betsy Will Probably Live.

Betsy as Central Park's sea cow has informally been named, will probably live. It was feared that the animal would die an it refused to taste food on the voyage from Florida, and even after it arrived here. When finally Betsy did begin to eat she began also to suffer from severe indigestion. The cause of the indigestion was learned late yesterday afternoon, when Mr. William A. McCann. of Jacksonville, Fis., visited the menagerie. He knows all about sen cows, and, happening to be in the city and learning that Betsy was in trouble, went out to see if he could help her. He learned that Betsy had begun to eat

grass and to nibble at lettuce. He said the lettuce was all right, but that ordinary grass is indigestible to sea cows. The antmal, he said, ought to have a regular supply of Florida "turtle grass." As soon as Director Smith learned this he sent for some. This grass grows in fresh water inlets of the Indian River. Numerous inlets have been cut through into the Indian River from the ocean, and the great luflux of salt water is killing the turtle grass and threatening the complete extinction of the

Mr. McCann further said that Betay must be kept in water no cooler than 70 degrees; that the water must be frequently changed and that she must be given a frequent salt water bath. Sea cows are very delicate, and neglect of food and diet easily causes death; a fact which explains why Betsy is to-day the only sen cow in captivity in the world.

The animals are said to be very intelligent and learn soon to come when called by their names. The only noise they make is a thin little squeaking, like that of a mouse. They suckle their young and give milk, just like